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Attorneys for Plaintiff and the Proposed Class

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

ANDREW PERRONG and JAMES EVERETT
SHELTON, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

TOMORROW ENERGY CORP fka SPERIAN
ENERGY CORP, a Nevada corporation, and
ENERGY GROUP CONSULTANTS, INC., a
Kansas corporation, BAETYL GROUP LLC, a
Texas limited liability company,

Defendants.

AND ALL RELATED ACTIONS.

NO. 2:19-cv-00115-RFB-EJY

**STIPULATION AND [PROPOSED] ORDER
REGARDING DISCOVERY, CLASS
CERTIFICATION, AND DISPOSITIVE MOTION
DEADLINES**

STIPULATION AND [PROPOSED] ORDER REGARDING DISCOVERY, CLASS CERTIFICATION,
AND DISPOSITIVE MOTION DEADLINES - 1

CASE No. 2:19-cv-00115-RFB-EJY

I. STIPULATION

Whereas on March 30, 2021, the Court denied defendant/cross-claimant/third-party plaintiff Tomorrow Energy Corp. fka Sperian Energy Corp.'s ("Sperian") motion for summary judgment without prejudice¹ and ordered the parties to submit a joint proposed schedule for Phase II of the case, which includes all issues in the case, Plaintiff Andrew Perrong ("Mr. Perrong"), Plaintiff James Everett Shelton ("Mr. Shelton") (collectively, "Plaintiffs"), Sperian, and defendant/cross-defendant Energy Group Consultants, Inc., and third-party defendant Energy Group Consultants, LLC (Energy Group Consultants entities collectively referred to as "EGC") provide the following:

EVENT	PROPOSAL
Motion to amend pleadings pursuant to Rule 15(a)(2)	May 28, 2021
Fact discovery deadline	August 31, 2021
Expert reports relating to class certification	September 30, 2021
Rebuttal expert reports relating to class certification	October 29, 2021
Class certification motion deadline and dispositive motion deadline	November 12, 2021
Opposition to class certification deadline and opposition to dispositive motion deadline	Within 28 days of the filing of the motion, but in no event later than December 10, 2021

¹ Insofar as it may impact the schedule in this case, Sperian advises that it is evaluating whether to bring a motion for reconsideration of the Court's ruling on its Phase I motion for summary judgment in light of the United States Supreme Court's recent ruling late last week in *Facebook Inc. v. Duguid*, No. 19-511, on the ground that there has been an intervening change in controlling law. Plaintiffs do not endorse this possibility and believe that the motion would not be proper.

EVENT	PROPOSAL
Reply in support of class certification deadline and reply in support of dispositive motion deadline	Within 14 days of the filing of the opposition, but in no event later than December 24, 2021
Joint pre-trial memorandum	To be determined following the Court's ruling on the latter of class certification and dispositive motions

RESPECTFULLY SUBMITTED AND DATED this 12th day of April, 2021.

TERRELL MARSHALL LAW GROUP PLLC

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STIPULATION AND [PROPOSED] ORDER REGARDING DISCOVERY, CLASS CERTIFICATION,
AND DISPOSITIVE MOTION DEADLINES - 3

CASE No. 2:19-cv-00115-RFB-EJY

II. PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this _____ day of _____, 2021

UNITED STATES DISTRICT JUDGE